

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1837 of 2025

1. Randhir Kumar Singh S/O Madan Singh, R/V Chauhandih, Gopalpur, P.S.- Khaira, District - Jamui.
2. Vashist Tiwari S/O Ram Lakhan Tiwari, Resident of collectorate road, Bihari, P.O. and P.S. - Jamui, District - Jamui.
3. Yadu Rawat S/O Balo Rawat, Resident of mohalla kalyanpur, Post- Jamui, P.S.- Jamui, District- Jamui.
4. Ramesh Kumar Rawat S/o Phuleshwar Rawat, Resident of Kali mandir, Bihari, P.O, PS and District-Jamui.
5. Md. Elyas S/O Md. Ebrahim, Resident of Sahur putaria P.O.- Amrath, P.S. Jamui, District-Jamui.
6. Rajkumar Tanti S/o Bimal Tanti, R/V Harnarayanpur, P.O.- Chaura, P.S.- Jamui, District-Jamui.
7. Bipin Kumar Paswan, S/O Ramcharitra Paswan, Resident of village Kasimpur, P.O. Gaurgama, P.S.- Nayagaon, District-Begusarai.
8. Rajesh Kumar Sinha S/O Late Chandra Muleshwar Prasad, R/V Baruatta, P.O.- Amrath, P.S. and District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. Of Bihar, Old Secretariat, P.O.- Sachivalay, P.S.- Sachivalay, District- Patna.
2. The Additional Chief Secretary General Administration Department Govt. of Bihar, Patna, At Old Secretariat, P.S -Sachiwalay, District- Patna.
3. The Additional Chief Secretary Finance Department, Bihar, Patna, at-Old Secretariat, P.S.-Sachiwalay, District-Patna.
4. The Additional Chief Secretary Department of Health Bihar, Patna, at Vikas Bhawan Bailey Road, Patna, P.S. Shastri Nagar, District-Patna.
5. The Director-in-Chief Health Services, Bihar, Patna at Vikas Bhawan Bailey Road, Patna, P.S.-Shastri Nagar, District-Patna.
6. District Magistrate, Jamui, At , P.O., P.S and District - Jamui.
7. The Deputy Collector (Estab), Jamui, At ,P.O., P.S. and District-Jamui.
8. The Civil Surgeon cum Chief Medical Officer, Jamui At , P.O., P.S. and District - Jamui.
9. The Incharge Medical Officer, Sono, At , P.O., P.S.-Sono, District - Jamui.
10. The Incharge Medical Officer, Jhajha, At , P.O , P.S. -Jhajha, District - Jamui.
11. The Incharge Medical Officer, Khaira, At , P.O and P.S.- Khaira, District- Jamui.
12. The Incharge Medical Officer, Laxmipur, At, P.O. and P.S.- Laxmipur, District - Jamui.



13. The Circle Officer, Sono, At , P.O. and P.S.-Sono, District - Jamui.
14. The Block Development Officer, Jamui, At , P.O. , P.S. and District - Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate
For the Respondent/s : Mr. Akash Raj, AC to GA-5

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 06-07-2026

Learned Counsel for the petitioners and learned
Counsel for the State are present.

2. The petitioners have filed the present writ petition
with the following reliefs:-

“i. For a direction to the respondent authorities to allow/put the petitioners under the old pension scheme in the light of the Gadget as contain in memo no.1206(Pension) Patna dated 28.11.2023 issued by the departmental of finance govt. of Bihar(Patna). As the process of appointments of all the petitioners have been initiated and panel has been prepared for appointments of all the petitioners have been initiated and panel has been prepared for appointment prior to 1st September, 2005, which is cutoff date.

ii. Further for a direction to the respondent authorities to deduct the GPF amount from the salary of petitioners under the old pension scheme in place of new pension scheme/CPF.

iii. To grant any other



relief/reliefs for which the petitioners are entitled in the eye of law.”

3. Learned counsel for the petitioners submits that, for redressal of their grievance, the petitioners had submitted representations before their immediate superior authority, namely, the Civil Surgeon-cum-Chief Medical Officer, on the basis of Letter No. 48/2020 contained in Memo No. 368 dated 13.06.2024. Pursuant thereto, the concerned Civil Surgeon-cum-Chief Medical Officer forwarded all the representations along with the enquiry report to the Director-in-Chief, Health Services, Government of Bihar, vide Letter dated 22.02.2025, which has been brought on record as Annexure R/A to the counter affidavit. It is submitted that, despite the said recommendation, no decision has been taken at the Government level and, for that reason alone, the petitioners have not been granted the claimed relief.

4. Learned counsel for the State, on the other hand, submits that the cases of the petitioners have already been considered by the Civil Surgeon-cum-Chief Medical Officer, Jamui, and, as would appear from Annexure R/A to the counter affidavit, the matter has been recommended, along with the enquiry report, to the Director-in-Chief, Health Services, Department of Health, Government of Bihar, for consideration



of the petitioners' claim for grant of the benefit of the Old Pension Scheme.

5. Since the Director-in-Chief, Health Services, Government of Bihar, Patna (Respondent No. 5), has not yet taken any decision on the representations of the petitioners as forwarded by the Civil Surgeon-cum-Chief Medical Officer, this Court directs Respondent No. 5 to consider and dispose of the petitioners' representations by passing a reasoned and speaking order within a period of 90 (ninety) days from the date of receipt/production of a copy of this order.

6. It is made clear that, while taking such decision, the Director-in-Chief, Health Services, Government of Bihar, Patna, shall take into consideration the Finance Department Letter contained in Memo No. 368 dated 13.06.2024 as well as the ratio laid down in the order dated 10.09.2024 passed in CWJC No. 13344 of 2024 (Mahendra Mahto vs. State of Bihar & Ors.).

7. Accordingly, the writ petition stands disposed of.

(Dr. Anshuman, J)

Manshi/Ashwini

AFR/NAFR	
CAV DATE	NA
Uploading Date	08/07/2026
Transmission Date	NA

